

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 06-2725

Hollis Larson,

Appellant,

v.

David Crist; David Corbo; Pat Lais;
Michael Seath; Ronald Schwindel;
John Doe; Jeffrey White; Eric Hennen;
John Sofie; Chris Chute; Athanasios
Chronakos; Jessica Serowiecki;
Michael Spah; Suzette Borst; Harley
Nelson; Cari Gerlicher; Monica Lais;
T. Boone,

Appellees.

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Appeal from the United States
District Court for the
District of Minnesota.

[UNPUBLISHED]

Submitted: April 25, 2007
Filed: May 3, 2007

Before WOLLMAN, MURPHY, and BYE, Circuit Judges.

PER CURIAM.

Minnesota inmate Hollis Larson appeals the district court's¹ order affirming a magistrate judge's order denying appointment of counsel in this 42 U.S.C. § 1983 action. We find no abuse of discretion in the court's decision to affirm the denial of appointed counsel, because the magistrate judge's order reflects consideration of the appropriate factors. See Phillips v. Jasper County Jail, 437 F.3d 791, 794 (8th Cir. 2006) (standard of review; there is no constitutional or statutory right to counsel in civil cases). We thus affirm the denial of counsel, but because some of the relevant factors may need to be reconsidered as Larson's case progresses, we amend the order to be without prejudice. See Nelson v. Shuffman, 476 F.3d 635, 636 (8th Cir. 2007) (per curiam).

¹The Honorable Paul A. Magnuson, United States District Judge for the District of Minnesota, adopting in part the report and recommendations of the Honorable Arthur J. Boylan, United States Magistrate Judge for the District of Minnesota.